



# *Legislative Update*

*January 30, 1998*

*Vol. 8, No. 3*

## **Common Sense and Science: The Way To Improve Temporary Worker Housing**

*Natalie González*

The Department of Health (DOH), the State Board of Health (SBOH), and the Department of Labor and Industries (L&I) all have statutory authority to regulate housing for temporary workers in Washington. The vast majority of temporary or migrant workers in our state are farmworkers. The Department of Community, Trade, and Economic Development (DCTED) has responsibility for administering money for affordable housing for all low-income populations in this state, including farmworkers. The U.S. Department of Labor regulates housing for migrant workers through the Occupational Health and Safety Act (OSHA) and Wage and Hour Program. There is also a U.S. statute called the Migrant and Seasonal Agricultural Worker Protection Act (MSAWPA) which includes protections for agricultural workers who are provided housing.

It would seem, with all these agencies involved, that agricultural workers, in particular the migrant farmworkers, would have adequate housing. This is not the case. According to a 1996 DOH report to the Legislature, Washington state has a need for about 38,000 beds for migrant workers alone, not including their families.

The problem is complex. There is no one answer and solutions are not easy. Since 1994, Secretary Miyahara has recognized the complexity of the issue and has been working with other agencies, advocacy groups, legislators, and Governors Lowry and Locke. This year, the beginnings of a comprehensive solution to the problem has been offered in legislation requested by Governor Locke. That legislation has support in both the House and Senate and from both Republicans and Democrats. In the Senate, Senator Margarita Prentice is the prime sponsor of **SB 6168** (amended to **SSB 6168**) along with eight other Senators. In the House, the companion bill, **HB 2494**, was sponsored by Representative Phyllis Gutierrez-Kenney, along with 22 other Representatives.

The bills, **SSB 6168** and **SHB 2494** will: 1) assist growers in meeting the shelter needs of their employees by allowing them to build cost-effective shelters, and 2) address the broader community needs of the farmworker housing population, in the community and on the farm, by allocating \$2 million dollars per year into the Housing Trust Fund. Both bills have recently been voted out of committee. §

### **IN THIS ISSUE:**

Governor Reaffirms  
Position On  
Reproductive  
Choice  
**Page 2**

Legislative Cut-Off  
Dates  
**Page 2**

Legislative Internet  
Links  
**Page 2**

Bill Watch  
**Page 3-19**

# Governor Reaffirms Position On Reproductive Choice

*Greg Smith*

On January 22, at a press conference sponsored by Pro-Choice Washington celebrating the 25th anniversary of the Supreme Court's decision in *Roe vs. Wade*, Governor Locke spoke about the need to keep reproductive choice a decision that is between a woman and her health care provider. He stated that, "25 years after this decision, we must not become complacent and we must not let the issue of abortion become politicized. Before *Roe vs. Wade*, thousands of women died each year or were maimed in unsanitary back-alley abortions by untrained individuals."

Governor Locke then focused on the antecedent of abortion, unintended pregnancy: "Many Washingtonians are frustrated with the continuing abortion debate and the annual effort of the Legislature to undermine a woman's constitutional right to reproductive choice. What we really need instead is to prevent unintended pregnancy and reduce the need for abortion in the first place."

The Governor discussed the success of Washington in reducing both the rate of abortion and of unintended pregnancy. He noted that, "unplanned pregnancies and abortions are declining nationwide and in our state. But while we work to reduce unintended pregnancy, we must not let ourselves become complacent, and we must continue to resist efforts to erode that very constitutional right for a safe and legal abortion." §

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## Legislative Cut-Off Dates

**February 6, 1998:** Final day to read in committee reports from house of origin, except Senate Ways and Means and Transportation Committees and House fiscal committees.

**February 10, 1998:** Last day to read in original house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.

**February 17, 1998:** Last day to consider own bills.

**February 27, 1998:** Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.

**March 2, 1998:** Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.

**March 6, 1998:** Last day to consider opposite house bills (except amendments, differences, conference reports, the interim, and business relating to closing session).

## LEGISLATIVE INTERNET LINKS

Legislative information can be accessed via the internet. The following are a few links that may be of interest:

### Legislative Information

WWW - <http://www.leg.wa.gov>

Gopher - <gopher.leg.wa.gov>

FTP - <ftp.leg.wa.gov>

Email - [ftpmail@leg.wa.gov](mailto:ftpmail@leg.wa.gov)

### Washington State House of Representatives

<http://www.leg.wa.gov/www/house/members/housepg.htm>

### Washington State Senate

<http://www.leg.wa.gov/www/senate.htm>

### Washington State Governor's Home Page

<http://www.wa.gov/governor>

*TVW indicates that TVW tentatively plans to televise either LIVE or on a tape delayed basis. For additional information on TVW scheduling or availability, please call TVW at (360) 586-5555, or visit the TVW web site at: [www.tvw.org](http://www.tvw.org)*

**Weekly Legislative  
Meeting Schedules  
Are Available At The  
Legislative Bill Room**

## DATA AND CONFIDENTIALITY

### **HB 2914:** HIV Test Reporting

Directs physicians and laboratories to report confirmed positive HIV test results to the local health jurisdiction in the county in which the infected person resides. Allows only anonymous reporting to the state for statistical purposes. **House Health Care.** *Public Hearing 2-3-98, 8:00 p.m., House Hearing Room B.*

### **HB 3028:** Health Care Information

Declares that health care providers or facilities may not transmit health care information to local health care jurisdictions for the purposes of evaluating or monitoring the health status of patients within the jurisdiction or for program planning or development, without first obtaining the written permission of each patient whose health care information will be disclosed. **House Health Care.**

### **SB 6329:** Health Care Information Disclosure

Authorizes disclosure of health care information without patient's authorization to county coroners and medical examiners for the investigations of deaths. **Senate Health & Long Term Care.**

### **SB 6651:** Prescription Electronic Transfer

Authorizes information concerning an original prescription or information concerning a prescription refill for a legend drug to be electronically communicated to a pharmacy of the patient's choice pursuant to the provisions of this act if the electronically communicated prescription information complies with designated requirements. **Senate Health Long Term Care.** *Public Hearing, 2-3-98, 10:00 a.m., Senate Hearing Room 4.*

### **SB 6663:** Genetic Information Discrimination

Declares that the purpose of this act is to: (1) Protect the confidentiality of genetic information; (2) regulate the collection, retention, disclosure, or use of genetic information; and (3) protect against discrimination by an insurer or employer based upon the genetic information of an individual or his or her family members. **Senate Law & Justice.**

## DISEASE PREVENTION & CONTROL

### **HB 2366:** Good Samaritan Disease Tests

Provides that any person, who without compensation or the expectation of compensation renders emergency care at the scene of an emergency that brings them into contact with bodily fluids shall be provided the opportunity to have infectious disease testing provided by a local public health department free of charge, provided the person needing the test has no insurance coverage. **House Health Care.**

*Possible Executive Session, 2-3-98, 1:30 p.m., House Hearing Room B.*

**HB 2413:** Sexually Transmitted Disease Disclosure  
Revises RCW 70.24.105 to provide for disclosure of sexually transmitted disease information to a person rendering emergency care or transportation, commonly known as a "good Samaritan". **House Rules.**

### **HB 2681:** Rabies Vaccinations For Pets

Requires all dogs, cats, and ferrets to be vaccinated by a licensed veterinarian against rabies in accordance with rules adopted by the department of health that are based on the current compendium of animal rabies control published by the national association of state public health veterinarians. Provides that any person who fails to comply with this act is subject to a civil penalty of fifty dollars. **House Health Care.**

## ENVIRONMENTAL HEALTH

### **HB 2303/SB 6140:** Regulating Public Water Systems

Declares that a receiving public water system's use may exceed its water right authorization if the receiving public water system's withdrawal does not exceed the instantaneous or annual withdrawal rate specified in the receiving public water system's water right authorization. Requires the department not to consider the existence of interties when the department makes a determination on applications for new water rights, changes, or transfers by a public water system that is receiving or may receive water through an intertie. **House Agriculture & Ecology/Senate**

## Bill Watch

**Agriculture & Environment.** *Possible Executive Session, 2-2-98, 10:00 a.m., House Hearing Room A.*

**HB 2304/SB 6141: Public Water Systems**

Amends the definition of “municipal water supply purposes” to mean that public water system rights certificated, permitted, or authorized by the department to public water systems that are both: granted an operating permit under RCW 70.119A.100 by the department of health or approved by a local county health agency; and expanding public water systems with approved water system comprehensive plans. **House Agriculture & Ecology/Senate Agriculture & Environment.** *Possible Executive Session, 2-5-98, 1:30 p.m. or 8:00 p.m., House Hearing Room A.*

**HB 2337: Groundwater Aquifer Protection**

Directs the department of transportation to serve publicize upcoming chemical treatments of noxious weeds within state right of way to those cities and counties having Group A water systems that serve a minimum of twenty thousand residences within their respective jurisdictions. Urges local jurisdictions to submit to their regional department of transportation office, the documentation required by WAC 246-29-135 as well as the local jurisdiction's policy on the use of chemicals to control noxious weeds. **House Agriculture & Ecology.**

**HB 2384/SB 6180: Solid Fuel Burning Devices**

Requires the Department of Ecology, in cooperation with local air pollution control agencies and representatives from the hearth products industry and other appropriate stakeholders to analyze the new federal standards and make recommendations to the legislature regarding changes in the state's laws related to determining stage one or stage two impaired air quality due to solid fuel burning devices. Ecology and other parties shall recommend how to incorporate the new federal standard in determining first and second stage impaired air quality so as to minimize the likelihood that particulate levels in any area of the

state will be in violation of the new federal air quality standard for particulates due to solid fuel burning devices. Ecology shall submit its report and recommendations in writing by December 1, 2000. **House Agriculture & Ecology/Senate Agriculture & Environment.**

**HB 2396: Ground Water Withdrawal**

Allows use of ground water without a permit as authorized under RCW 90.44.050 may be considered to constitute an appropriate provision for potable water supply only to the extent that all of the water uses to be supplied water under the exemption from permitting in every respect consistent with the limitations on the use of the ground water without a permit. **House Agriculture & Ecology.**

**HB 2414: Outdoor Burning Compliance**

Extends the time in which to comply with outdoor burning prohibitions to December 31, 2006. **House Agriculture & Ecology.** *Possible Executive Session, 2-2-98, 10:00 a.m., House Hearing Room A.*

**HB 2514: Integrated Watershed Management**

Declares an intent of this act to provide locally based groups with the opportunity to: assess local water supplies and needs and develop strategies to provide adequate water for economic prosperity and environmental protection while protecting existing water rights; review water quality problems and develop a strategy for achieving compliance with water quality standards; and formulate plans for protection and enhancement of water-related wildlife and fish habitat. **House Agriculture & Ecology.**

**HB 2542: Rural Counties/Growth Management**

Provides that a rural county that adopts a resolution removing the county, and the cities located within the county, from the requirement to plan under the Growth Management Act remains subject to the requirements for the designation and protection of critical areas and the designation of natural resource lands. **House Government Reform & Land Use.**

## Bill Watch

### **HB 2537/SB 6131: Shellfish Sanitary Control**

Provides that a person whose license or certificate of approval is denied, revoked or suspended as a result of violations of chapter 69.30 RCW may not participate to any degree in a shellfish operation. **House Agriculture & Ecology/Senate Rules.**

### **HB 2579/SB 6241: Critical Water Supply Areas**

Finds that this problem of effective and efficient delivery of a safe water supply is exacerbated when the critical water supply service area is part of one or more urban growth areas. Establishes a process for ensuring that a safe water supply is available in a timely manner to residents and property owners in critical water supply service areas within urban growth areas. **House Agriculture & Ecology/Senate Agriculture & Environment.**

### **HB 2618/SB 6474: Fertilizer Regulation**

Declares an intent to strengthen the state's fertilizer adulteration laws to protect human health and the environment by: ensuring that all fertilizers meet standards for allowable metals; allowing fertilizer purchasers and users to know about the contents of fertilizer products; clarifying the department of ecology's oversight authority over waste-derived fertilizers; and authorizing additional studies on plant uptake of metals. Makes an appropriation of \$407,747 from the general fund to the department of agriculture for the purposes of this act. **House Agriculture & Ecology/Senate Agriculture & Environment.** *Public Hearing, 2-3-98, 6:30 p.m., Senate Hearing Room 3. Executive Session, 2-4-98, 8:00 a.m., House Hearing Room A.*

### **HB 2670: Growth Management Planning**

Eliminating grant and loan preferences for growth management act planning. Repeals RCW 43.17.250. **House Government Reform & Land Use.** *Public Hearing, 2-2-98, 10:00 a.m., House Hearing Room E. Possible Executive Session, 2-4-98, 10:00 a.m., House Hearing Room E.*

**HB 2687: Government Access to Private Property**  
Declares an intent, with certain limited and necessary exceptions, that all persons, whether government employees or private persons, be made subject to the same restrictions with regard to entering upon the property of another. It is the intent of the legislature to eliminate special immunities from prosecution for trespass, whether those immunities have been legislatively granted to government or to private persons or entities. **House Law & Justice.** *Public Hearing, 1-30-98, 8:00 a.m., House Hearing Room A.*

### **HB 2775: Water Rights**

Provides that if a person placed surface or ground water to beneficial use before January 1, 1993, for irrigation, stock watering, or domestic use supplied by a public water supply system with one hundred fifty or fewer service connections for which a permit or certificate was not issued by the department or its predecessors, the person or the public water supply system, or their respective successors may continue to use water in the amount that has been beneficially used if designated conditions are made. **House Agriculture & Ecology.** *Public Hearing, 2-5-98, 1:30p.m., House Hearing Room A.*

### **HB 2791: Methamphetamine Crimes**

Provides that the manufacture or possession of ephedrine or pseudoephedrine with intent to manufacture methamphetamine in or near a residence in which a minor resides is a "most serious offense" under RCW 9.94A.030. Provides that funds may also be appropriated to local departments of health for a program to assist in the cleanup of sites of methamphetamine production. Funds from this program shall not be used for the initial containment of such a site. **House Criminal Justice & Corrections.** *Public Hearing, 2-4-98, 1:30 p.m., House Hearing Room E. Possible Executive Session, 2-5-98, 6:00 p.m., House Hearing Room E.*

### **HB 2800/SB 6334: Small City Water Rights**

Finds that an application to withdraw ground water

## Bill Watch

filed with the Department of Ecology serves overriding considerations of the public interest when all of the following criteria are met: the application is either filed or held, through assignment or otherwise, by a city with a population no greater than five thousand at the time the application is filed; the city has a sole source of firm water supply and that source might be at risk of failure due to contamination or to source location factors including but not limited to steep slope and other geologic hazards; the city has a comprehensive plan approved under the Growth Management Act and the plan includes an urban growth area that the city will be required to serve; the city's current water supply is insufficient to meet the future demand forecasted in the plan throughout the ten-year period beginning with the adoption by the city of the plan; the city has no currently available reasonable alternative source or supplier of water to meet the demand; and the city has identified a permanent alternative firm supply of water to meet the forecasted demand that the city reasonably expects to become available within ten years of the date of the adoption by the city of the plan. **House Agriculture & Ecology/Senate Agriculture & Environment.**

### **HB 2803: GMA Compliance Timelines**

Declares that a county or city making reasonable progress toward adopting a comprehensive plan and development regulations has until July 1, 2000, to adopt a comprehensive plan and development regulations. **House Government Reform & Land Use.** *Public Hearing, 2-2-98, 10:00 a.m., House Hearing Room E. Possible Executive Session, 2-4-98, 10:00 a.m., House Hearing Room E.*

### **HB 2915: Dairy Nutrients**

Establish an inspection and technical assistance program for dairy farms to address the discharge of pollutants to surface and ground waters of the state that will lead to water quality compliance by the industry. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by a

committee composed of industry, agency, and other representatives. **House Agriculture & Ecology.** *Public Hearing, 2-2-98, 10:00 a.m., House Hearing Room A.*

### **HB 2952: Building Code Modifications**

Authorizes modifications to the state building code by local jurisdiction to promote the health, safety, and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes throughout the state. **House Commerce & Labor.**

### **HB 2966: Lead Based Paint Hazards.**

Establishes a lead-based paint activities program within the Department of Health to protect the general public from exposure to lead hazards and to ensure the availability of a trained and qualified work force to identify and address lead-based paint hazards. Provides that the act shall be null and void if appropriations are not approved. **House Commerce & Labor.** *Public Hearing, 2-2-98, 10:00 a.m., House Hearing Room B.*

### **HB 3039: Therapeutic Water Facilities.**

Revises RCW 70.90.250 to remove the exemption for therapeutic water facilities operated exclusively for physical therapy. Applies to all water recreation facilities regardless of whether ownership is public or private and regardless of whether the intended use is commercial or private, except that this chapter shall not apply to: (1) Any water recreation facility for the sole use of residents and invited guests at a single family dwelling; (2) Therapeutic water facilities operated exclusively for physical therapy; and (3) Steam baths and saunas. **House Health Care.**

### **SB 6139: Amphetamine Penalties**

Increases penalties for manufacture and delivery of amphetamine. **Senate Law & Justice.**

### **SB 6123: Animal Health**

Designates the authority and responsibility of the director of agriculture to supervise the prevention of

## Bill Watch

the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state. **Senate Agriculture & Environment.**

### **SSB 6161: Dairy Nutrient Management**

Establishes a credible registration and inspection program for dairy animal feeding operations to address the excessive discharge of nutrients or pollutants to waters of the state and lead to compliance by the industry with water quality laws. Maintains the administration of the water quality program as it relates to dairy operations at the state level. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by an advisory committee composed of agency, industry, and other representatives. Clarifies the current coordination procedures and responsibilities between the Department of Ecology, the conservation commission, and conservation districts. Repeals RCW 90.64.005 and 90.64.090. **Senate Ways & Means.**

### **SB 6170: Uranium or Thorium Mills**

Declares that the Department of Health may not approve a plan for reclamation, closure, or decommissioning of a uranium or thorium mill or tailings facility if the plan uses the receipt, storage, permanent impoundment, or disposal of materials originating from a site that is more than forty-five miles from the site covered by the plan. **Senate Agriculture & Environment.**

### **SB 6248: Geoduck Harvesting Agreements**

Provides that if a harvesting agreement provides for discrete, separate harvest periods for portions of the total harvest allowed, the harvester may terminate the agreement, for any separate harvest period, if government agency actions prohibit harvesting for a period exceeding a total of thirty days within that harvesting period. **Senate Natural Resources & Parks.**

### **SB 6249: Geoduck Harvesting Agreements**

Revises current law relating to geoduck harvesting agreements. **Senate Natural Resources & Parks.**

### **SB 6250: Geoduck Diver Licenses**

Declares that, after July 1, 1998, no new geoduck diver licenses shall be issued unless fewer than fifty persons are eligible for renewal. A person may renew an existing license only if the person held a geoduck diver license for four of the seven years 1991 through 1997, or acquired the license by transfer from someone who held it during the previous year, and if the person has not subsequently transferred the license to another person. Provides that geoduck diver licenses are not transferable except from parent to child, from spouse to spouse during marriage or as a result of marriage dissolution or property settlement, or upon death of the license holder. **Senate Natural Resources & Parks. Public Hearing, 2-3-98, 10:00 a.m., Senate Hearing Room 2.**

### **SB 6344: Low Level Radioactive Waste**

Declares that, when the transportation of low-level radioactive waste from outside the state into a county within the state is authorized, any county through which such waste will be transported may assess county impact fees to cover the cost reasonably necessary for the county to prepare for and respond to the movement of such waste through the county. **Senate Agriculture & Environment.**

### **SB 6497: Taking of Private Property.**

Declares that it is the public policy of the state of Washington that state agencies and local governments, in planning and carrying out governmental actions, anticipate, be sensitive to, and account for the obligations imposed by the fifth and the fourteenth amendments of the United States Constitution and Article I, section 16 of the state Constitution. It is the purpose of this act to reduce the risk of undue or inadvertent burdens on private property rights resulting from certain lawful governmental actions. **Senate Government Operations.**

## Bill Watch

### **SB 6520: Watershed Plan Local Funding**

Declares that the purpose of this act is to authorize counties, cities, and special districts to provide funding from existing water-related sources to assist in comprehensive planning and management activities on a watershed basis. The coordinated program established in this chapter is intended to emphasize local accountability, consistency with growth planning activities, and protection of the public health and the environment in a cost-efficient manner. **Senate Agriculture & Environment.** *Public Hearing, 2-4-98, 10:00 a.m., Senate Hearing Room 3.*

### **SB 6646: Public Water System Fees**

Declares that the Department of Health provide a report that incorporates the findings and recommendations of the water supply advisory committee as to progress in meeting the objectives of the public health improvement plan, changes warranted by the recent congressional action reauthorizing the federal safe drinking water act, new approaches to providing services under the general principles of regulatory reform, and the adequacy and necessity of current and prospective funding. Revision of the operating permit fee is a recommendation of the committee. **Senate Energy & Utilities.**

### **2E2SHB 1354: Air Pollution Control**

Requires the Department of Ecology to establish a scientific advisory board to review plans to create or expand an inspection and maintenance system for motor vehicle emissions. Exempts from the requirements for emission inspection collector cars as identified by the department of licensing under RCW 46.16.305(1), or beginning January 1, 2000, vehicles that are less than five years old or more than twenty-five years old.

Directs the Department of Ecology to evaluate changes to the motor vehicle emission inspection program made in RCW 46.16.015(2)(j) and other options that meet air quality objectives and lessen

the effect of the program on the motorist. The department shall consider air quality, program costs, and motorist convenience in its evaluation and make recommendations for changes to the program to the appropriate standing committees of the legislature by January 1, 1999. Provides that the act shall be null and void if appropriations are not approved. **Senate Agriculture & Environment.**

### **SHB 1692: Port District Aquatic Lands**

The only lands that may be included in a port district aquatic lands management agreement are those state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district. Upon request of a city, the department and city may enter into an agreement authorizing the city to manage state-owned aquatic lands for the purpose of operating a publicly owned marina. Directs the development of a proposed model management agreement that shall be used as the basis for negotiating the management agreements required by this section. The model management agreement shall be reviewed and approved by the board of natural resources. **Senate Natural Resources & Parks.**

## **FAMILIES & CHILDREN**

### **SHB 1194/SB 5885: Breast Feeding In the Workplace**

Authorizes a woman to breast-feed her infant child in any public or private location at her place of employment where the woman is otherwise authorized to be. **House 2<sup>nd</sup> Reading.**

### **HB 1697/SSB 5278: Mother of Drug-Addicted Baby**

Requiring court-ordered use of long-term pharmaceutical birth control for mothers who have given birth to a baby with drug addiction. Directs the department of social and health services to operate four pilot projects in communities served by the parent and child assistance program to provide



## Bill Watch

services to drug-addicted women who give birth to drug-addicted infants. A first referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the offering of: (1) Voluntary chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary family planning information, education, and counseling; A second referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1) Mandatory chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and (2) voluntary long-term birth control and related education and counseling; A third referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: (1) Mandatory chemical dependency treatment, counseling, and support services; and (2) mandatory long-term birth control and related education and counseling through the procedure established under this act.

Designates procedures to file a petition with the superior or district court related to the woman's participation in chemical dependency treatment, counseling, and support services and the use of long-term pharmaceutical birth control. **Senate Human Services & Corrections.**

### **SHB 2308: School Tests/Parent Consent**

Confirms that it is within the rightful authority of parents to determine how much personal information regarding their child and their family is divulged to schools and individual educators. Requires prior parental consent for the administration of tests, questionnaires and surveys that elicit the personal beliefs or practices of a student or a student's family regarding sex or religion. Requires that all instruction materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any test,

questionnaire, survey, analysis, or evaluation in a school shall be available for inspection by the parents or legal guardians of the students and by any member of the school board. Provides that schools shall give parents and students effective notice of their rights under this act. Surveys that undergo review by the Human Subjects Research Review Board are exempted from most of the provisions in this bill. **House Education.**

### **HB 2332: School Laws and Rules Waivers**

Deletes the expiration date of June 30, 1999, for provisions relating to the waivers of laws and rules pertaining to schools. **House Education.**

### **HB 2395/SB 6530: Partial Birth Abortions**

Provides that any physician who knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this act or imprisoned not more than two years, or both. This act shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. Requires approval by the people at the next general election. **House Law & Justice/Senate Law & Justice.**

### **HB 2422: Parents' Rights in Education**

Allows parents to: make a complaint to the school board and have the complaint heard at a public hearing regarding instructional and library materials the parent deems objectionable; exclude their child from sex education and HIV/AIDS classes and be involved in evaluation and revision of sex education and HIV/AIDS programs; and exclude their child from scoliosis screening and be involved in instructional materials committees in accordance with RCW 28A.320.230. **House Education.** *Public Hearing, 2-4-98, 6:00 p.m., House Hearing Room A*

### **HB 2585: Mistreatment of Unborn Child**

Makes it a crime to harm an unborn child by the use of drugs or alcohol. **House Law & Justice.** *Public Hearing, 1-30-98, 8:00 a.m., House Hearing Room A.*

## Bill Watch

**HB 2593/SB 6522:** Coverage for Maternity Care  
Requires every policy issued by a health carrier that provides hospital, surgical, or medical coverage to provide coverage for maternity care, including hospital, surgical, or medical care under the same terms and conditions that hospital, surgical, or medical coverage is provided for illness or disease under the policy. **House Health Care/Senate Health & Long Term Care.** *Public Hearing, 2-5-98, 10:00 a.m., Senate Hearing Room 4.*

**HB 2594/SB 6376:** Protecting Contraceptive Health Care Benefits

Provides that a health plan issued to individuals or groups shall not exclude or restrict benefits for: (1) Prescription of contraceptive drugs or devices allowed under Title 69 RCW or generic equivalents substitutable under chapter 69.41 RCW, if the health plan covers or provides other outpatient prescription drugs or devices; or (2) outpatient contraceptive services if the plan covers or provides other outpatient services provided by a health care provider. **House Health Care/Senate Health & Long Term Care.**

**HB 2635:** Viable Fetus Protection

Declares that a physician or other person may not perform, or attempt to perform, any abortion with the intent to terminate the life of a viable fetus, unless it is necessary to preserve the life of the mother. If a pregnancy is terminated, the life of the viable fetus may not be terminated, unless it is necessary to preserve the life of the mother. Prescribes penalties for violation of the act. **House Law & Justice.** *Public Hearing, 1-30-98, 8:00 a.m., House Hearing Room A.*

**HB 2669:** Non-academic Subject Parent Consent

Requires schools desiring to provide instruction in nonacademic subject matter regarding suicide, euthanasia, or human sexuality issues dealing with sex education, sexually transmitted diseases, contraception, or sexual orientation, to provide such instruction as an independent unit within a curriculum offering. Requires all independent units offered to be elective and requires prior parental

written consent before a student participates in the unit offering. **House Education.** *Possible Executive Session, 2-4-98, 6:00 p.m.; 2-5-98, 10:00 a.m.; or 2-6-98, 10:00 a.m., House Hearing Room A.*

**HB 2883/SB 6339:** Declaring English To Be The Common Language

Recognizes the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Establishes a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. Refers the bill to the people for ratification at the next general election. **House Commerce & Labor. Senate Education.** *Public Hearing, 2-3-98, 10:00 a.m., Senate Hearing Room 1. Public Hearing, 2-4-98, 8:00 p.m., House Hearing Room A.*

**HB 3008:** Drug-Affected Children/Mother

Requires dependency investigations for infants born drug affected. Requires a physician primarily responsible for the supervision of the birth of an infant, who has reasonable cause to believe an infant has been exposed to non-prescription use of controlled substances to: (1) Conduct appropriate tests to determine whether the infant is drug-affected; (2) notify DSHS of the name and address of the parents of an infant who is drug-affected; and (3) retain the infant in the birthing facility for medical treatment. Directs DSHS to operate a pilot project to provide services to women who give birth to infants exposed to the non-prescription use of controlled substances by the mother during pregnancy. **House Children & Family Services.** *Public Hearing, 2-3-98, 1:30p.m., House Hearing Room E. Possible Executive Session, 2-5-98, 10:00 a.m., House Hearing Room E.*

## Bill Watch

### **HB 3009/ SB 6695:** Substance Abuser/Family Planning

Requires the availability of family planning services for pregnant or parenting substance abusers. **House Children & Family Services.** Senate Human Services & Corrections. *Public Hearing, 2-3-98, 1:30 p.m., House Hearing Room E. Possible Executive Session, 2-5-98, 8:00 a.m., House Hearing Room E.*

### **HB 3010:** Incarcerated Women/Family Planning

Requires availability of family planning services for incarcerated women. **House Children & Family Services.** *Public Hearing, 2-3-98, 1:30 p.m., House Hearing Room E. Possible Executive Session, 2-5-98, 8:00 a.m., House Hearing Room E.*

### **SB 6247:** Sexually Explicit Matter/Minors

Declares that a person is guilty of unlawful display of sexually explicit material to a minor if the person knowingly shows such material on a viewing screen so that the sexually explicit material is visible to a minor who is not trespassing. The bill does not provide a limited exemption for health related materials. **Senate Law and Justice.**

### **SB 6290:** Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.** *Public Hearing, 2-3-98, 10:00 a.m., Senate Hearing Room 2.*

### **SB 6296:** English As Common Language

Recognizes the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Establishes a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. **Senate Education.**

### **SB 6338:** Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the

## Bill Watch

notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person. Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Law & Justice.** *Public Hearing, 2-3-98, 1:30p.m., Senate Hearing Room 1.*

### **SB 6345: Charter Schools**

Declares an intent to authorize the establishment of charter schools for the purpose of providing a unique setting for learning that will improve pupil achievement and provide additional public school choices for students, parents, and teachers. Allows charter schools to waive no state or federal laws pertaining to health safety, or civil rights. **Senate Education.** *Public Hearing, 2-3-98, 3:30p.m., Senate Hearing Room 4.*

### **SB 6514: Student Catheterization**

Provides that school district employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to perform clean, intermittent bladder catheterizations as part of their job description, may file a written letter of refusal to perform clean, intermittent bladder catheterization of students. The letter of refusal shall not serve as grounds for discharge, non-renewable, or other action adversely affecting the employee's contract status. **Senate Rules.**

### **SB 6546: School Nurse/Student Ratios**

Provides that, beginning with the 1999-2000 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand five hundred (1,500) full-time equivalent students. In the 2000-2001 school year, each school district shall maintain a ratio of not less than one school nurse for every one thousand (1,000) full-time equivalent students. In the 2001-2002 school year, each school district shall maintain a ratio of not less than one school nurse for every seven hundred fifty full-time equivalent students. **Senate Health & Long Term Care.**

### **SB 6694: Newborn Screening for Drugs.**

Directs the Department of Health, in consultation with appropriate medical professionals, to develop screening criteria for use in identifying pregnant or lactating women addicted to drugs or alcohol who are at risk of producing a drug-affected baby. DOH shall also develop training protocols for medical professionals related to the identification and screening of women at risk of producing a drug-affected baby. **Senate Health & Long Term Care.**

## **FISCAL**

### **HB 2301: Vehicle Excise Tax Moneys**

Reduces the annual amount of the motor vehicle excise tax to one and one-half percent of the value of the vehicle and revises the distribution formula for the tax. Applies to motor vehicle fees due after June 30, 1998. **House Finance.**

### **HB 2320: Toxicology Lab Funding**

Makes an appropriation of three hundred fifty-one thousand five hundred dollars to carry out the purposes of funding the state toxicology laboratory. **House Appropriations.**

### **HB 2453: Motor Vehicle Excise Tax**

Revises provisions relating to motor vehicle excise taxes. **House Finance.**

## Bill Watch

**HB 2494/SSB 6168:** Temporary Worker Housing Directs DOH to adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington Industrial Safety and Health Act, Chapter 49.17 RCW, the rules adopted by the State Board of Health under RCW 70.54.110, and the designated guidelines. Requires that, by December 1, 1998, the Department of Labor and Industries shall adopt rules requiring electricity in all temporary worker housing and establishing minimum requirements to ensure the safe storage, handling, and preparation of food in these camps, regardless of whether individual or common cooking facilities are in use. Provides that, beginning in fiscal year 1999 and each fiscal year thereafter, the state treasurer shall transfer two million dollars from the general fund to the housing trust fund. The funds transferred under this section are provided solely to the department of community, trade, and economic development for the development of housing for low-income farm workers. **House Appropriations/Senate Ways & Means**

**HB 2592/SB 6437:** Funding Family Planning Directs the governor to negotiate with the federal Department of Health and Human Services' Health Care Financing administration to obtain a regulatory waiver of provisions of the medical assistance statute, Title XIX of the federal social security act, to permit Washington to provide family planning services under the medical assistance program to families with income less than two hundred percent of the federal poverty level and report to the appropriate committees of the legislature by December 15, 1998, on the status of these negotiations. **House Appropriations/Senate Human Services & Corrections.**

**HB 2627/SB 6450:** Supplemental Operating Budget Provides supplemental appropriations. **House Appropriations/Senate Ways and Means.**

**HB 2645/SB 6468:** Water Quality/Health Service Account Manages the water quality account by changing the timing of transfers and reallocating cigarette tax

revenues to the health services account. **House Appropriations/Senate Ways and Means.**

**HB 2724:** Enforcement Moneys/Legislative Oversight Provides that no state officer or employee may expend moneys received from fines, penalties, forfeitures, settlements, court orders, or other enforcement actions except as provided in a specific appropriation by law. **House Appropriations.**

**HB 2778:** Brain Injury Trust Fund Requires that a twenty-five dollar fine shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution as a result of an arrest for violating DWI (under 21), DUI, Vehicular Homicide, and Vehicular Assault. This fine is for the purpose of providing services to persons disabled by traumatic brain injuries. **House Law & Justice.** *Public Hearing, 2-3-98, 10:00 a.m., House Hearing Room A.*

**HB 2801:** Vehicle Excise Tax Revenues Revises RCW 82.44.110 relating to disposition of motor vehicle excise tax revenues. **House Appropriations.**

**HB 2930/SB 6602:** Carbonated Beverage Taxes Provides a credit for carbonated beverage taxes against business and occupation taxes. **House Finance/Senate Ways & Means.**

**HB 2995/SB 6616:** Breast/Cervical Cancer Screening Makes an appropriation of one million five hundred thousand dollars for fiscal year 1998 from the general fund to the Department of Health for the purpose of making breast and cervical cancer screening available to low-income women. **House Appropriations/Senate Ways & Means.**

**2SSB 6015:** Water Recreation Facilities Provides that no fee or fee increase may be adopted without a public hearing. A reduction in the operating permit fee of at least seventy-five percent shall be granted when a facility operator demonstrates a

## Bill Watch

satisfactory level of training in pool safety, water quality, maintenance, and operations. **Senate Rules.**

### **SB 6112: Vehicle Excise Tax Reduction**

Reduces the rate of motor vehicle excise tax on automobiles, motorcycles, light trucks, and motor homes by a general reduction in the value of vehicles to which the tax is applied. Reductions in revenue from the motor vehicle excise tax must be funded from projected surpluses in the state general fund so as to not have a detrimental effect on other programs receiving funds from the tax. **Senate Ways and Means. Public Hearing, 2-2-98, 3:30 p.m., Senate Hearing Room 4.**

### **SB 6446: Health Care Funding**

Establishes a tax imposed at the rate of 1.0 percent on all taxable income of each person for each taxable year to be used for health care funding. **Senate Ways and Means.**

## **INJURY PREVENTION**

### **SHB 1978: Disposal of Firearms**

Legal firearms may be either auctioned or traded to licensed dealers or destroyed if the following criteria are met: (1) The firearm was offered for auction or trade and the offer was not accepted; and (2) the firearm is unsafe or inoperative. **Senate Law & Justice.**

### **HB 2437: Bicycle Helmets**

Provides that, in order to provide an effective means of implementing a requirement for all bicyclists and their passengers to wear helmets, the legislature recognizes that programs of helmet awareness designed to promote use of helmets by all ages, undertaken by public and private agencies with existing resources, and with notification of the requirement must precede the date of total enforcement. **House Transportation Policy & Budget.**

### **SB 6225: Firearms Possession/Minors**

Requires adult supervision of minors under fourteen in possession of firearms while hunting or trapping. **Senate Natural Resources & Parks.**

## **INSURANCE**

### **HB 2540: Dental Care Charges/Insurance**

Requires each health plan offered to public employees and their covered dependents that is not subject to the provisions of insurance law that provides benefits for hospital or medical care to also provide benefits for anesthesia and hospital charges for dental care for a covered person who: is a child under age six; is severely disabled; or has a medical condition requiring hospitalization or general anesthesia for dental care treatment, provided that such services are delivered upon the recommendation of the patient's physician. **House Health Care.**

### **HB 2878: Health Care Enrollment Information**

Requires that, no later than September 1, 1998, the secretary of social and health services, the administrator of the state health care authority, and the superintendent of public instruction shall implement a children's health care outreach program to inform children and their parents of the availability of the medical assistance program and the basic health plan. **House Health Care.**

### **HB 3026: Children's Health Initiative**

Intends that the children's health initiative program provide health care services to children's health initiative enrollees who do not have access to medical assistance and are not insured at the time of enrollment. **House Health Care. Public Hearing, 2-3-98, 8:00 p.m., House Hearing Room B.**

### **SB 6374: Children's Health Initiative**

Makes Medicaid available to persons covered by the federal children's health initiative. **Senate Health & Long Term Care.**

## Bill Watch

### **SB 6472: Children's Health Initiative**

Makes the basic health plan available to persons covered by the federal children's health initiative. **Senate Ways & Means.**

### **PROFESSIONAL/ FACILITIES LICENSING**

#### **2SHB 1618: Impaired Physician Programs**

Makes technical revisions to provisions relating to treatment programs for impaired physicians. **House Appropriations.** *Public Hearing, 2-2-98, 3:30 p.m., House Hearing Room A.*

#### **HB 2357/SB 6375: Pawnbroker Interest and Fees**

Revises RCW 19.60.060 to set the rates of interest and other fees charged by pawnbrokers. **House Financial Institutions Insurance & Housing.** **House 2<sup>nd</sup> Reading.**

#### **HB 2363/SB 6411: Nurse Delegation**

Enacting department of health recommendations removing barriers to nurse delegation. Revises RCW 18.88A.030 and 18.88A.210 to adopt department of health recommendations removing barriers to nurse delegation. **House Rules/Senate Health & Long Term Care.**

#### **SHB 2364: Health Professions Administrative Procedures**

Revises RCW 43.70.280 to extend the authority of the secretary of health to write administrative rules for the health professions from July 1, 1998 to March 1, 1999. **House Rules.**

#### **HB 2469: Blood Supply Donations**

Requires any blood donor program receiving blood donations to establish a program and procedures to honor the requests by donors to have the blood donations directed for use to persons as specified by such donors. The blood donor program may keep up to one-third of the donated blood to increase the general blood supply for other non-directed patient transfusions. **House Health Care.** *Public Hearing, 2-3-98, 8:00 p.m., House Hearing Room B*

#### **HB 2774: Adult Family Homes**

Creates an advisory committee on matters relating to the regulation of adult family homes. **House Health Care.** *Public Hearing, 1-30-98, 10:00 a.m., House Hearing Room B. Possible Executive Session, 2-3-98, 1:30 p.m., House Hearing Room B.*

#### **HB 2788: Nursing Assistant Training**

Provides that the nursing care quality assurance commission shall direct the nursing assistant training programs to accept some or all of the skills and competencies from the curriculum modules towards meeting the requirements for a nursing assistant certificate. A process may be developed to test persons completing modules from a caregiver's class to verify that they have the transferable skills and competencies for entry into a nursing assistant training program. Directs the Department of Social and Health Services (DSHS) and the nursing care quality assurance commission to work together to develop an implementation plan by December 12, 1998. **House Rules.**

#### **HB 2789: Providing for Adult Family Home and Boarding Home Training**

Directs that the minimum training standards for licensees serving residents with special needs, such as mental illness, dementia, or a developmental disability, be increased, and that licensees receive additional appropriate training, and that the training delivery system be improved. Provides that the facility shall only admit or retain individuals whose needs it can safely and appropriately serve in the facility with appropriate available staff or through the provision of reasonable accommodations required by state or federal law. Requires that each resident and his or her representative must be informed in writing in advance of changes in the availability or the charges for services, items, or activities, or of changes in the facility's rules. **House Health Care.** *Executive Session, 2-3-98, 1:30 p.m., House Hearing Room B.*

## Bill Watch

### **HB 2853: End-of-Life Care Act**

A qualified patient has the right to make voluntary and informed choices of care including a request for home care, hospice care, psychological and social counseling, palliative care, as well as a voluntary revocable recorded request for withholding cardiopulmonary resuscitation and/or for palliative sedation that may have the double effect of hastening death. Physicians, physician's assistants, nurses, pharmacists, and health care institutions have the right to participate voluntarily in end-of-life care in good-faith compliance with the requirements of this act without being subject to civil, criminal, or professional liability. Withholding of cardiopulmonary resuscitation in good-faith compliance with the requirements of this act, or a hastened death resulting from palliative sedation administered or delivered in good-faith compliance with the requirements of this act, is not assisted suicide, euthanasia, or mercy killing. **House Health Care.** *Public Hearing, 2-3-98, 1:30 p.m., House Hearing Room B. Possible Executive Session, 2-3-98, 8:00 p.m., House Hearing Room B.*

### **SHB 2935: Nursing Home Medicaid Reimbursement System**

Implements the nursing facility medicaid payment system. Exempts baile-Boushay House from case mix reimbursement. **House Health Care, Do Pass, 1st Substitute.**

**HB 2963/SB 5447: Hospital Licensing Information**  
Establishes provisions for disclosure of information obtained by the department of health related to meeting licensing standards in hospitals. **House Health Care.** *Public Hearing, 2-3-98, 1:30 p.m., House Hearing Room B. Possible Executive Session, 2-3-98, 8:00 p.m., House Hearing Room B.*

**HB 2990/ SB 6641: Boarding Home Accreditation**  
Recognizes the need to involve the boarding home industry, the consumers of assisted living and retirement services, the long-term care ombudsman, and state regulatory agencies in the collaborative process of developing standards and procedures for

accreditation of licensed boarding homes. Supports an industry-funded pilot program prior to changing or developing new standards for boarding home regulation. **House Health Care/Senate Health/Long Term Care.** *Possible Executive Session, 2-3-98, 8:00 p.m., House Hearing Room B.*

### **HB 3002: Child Care Background Checks**

Provides that the department shall: (1) investigate the conviction record or pending charges and dependency record information under chapter 43.43 RCW of any such person; and (2) have access, under RCW 10.97.050(4), to criminal history record information, which includes records of arrest, charges, or allegations of criminal conduct and other non-conviction data. Requires the department to use non-conviction data solely as a tool for investigation and shall not base any decision regarding character, suitability, or competence to care for children solely on the basis of non-conviction data. **House Children & Family Services.** *Public Hearing, 2-5-98, 10:00 a.m., House Hearing Room E. Possible Executive Session, 2-6-98, 10:00 a.m., House Hearing Room E.*

### **SB 6265: Opticians/Eye Refractions**

Authorizes dispensing opticians to perform eye refraction and modify existing prescriptions to reflect changes in vision. **Senate Health & Long Term Care.**

### **SB 6271: Medical Marijuana**

Finds that the medical utility of marijuana is worth studying, and encourages public and private research organizations and physicians to research such use, including efficacy, and availability of pharmaceutical quality marijuana. Intends that seriously ill patients, who, in the judgment of their physicians would benefit from the use of medical marijuana, be exempt from liability and criminal prosecution for limited, personal possession and use of marijuana; that physicians also be immune for liability and prosecution for the authorization of marijuana use to patients for whom, in the individual physician's professional judgment, medical marijuana may prove beneficial.



## Bill Watch

Strictly limits the legalization of marijuana to medical use, upon authorization of a physician. The legislature does not condone the non-medical, recreational use of marijuana under any circumstances. **Senate Health & Long Term Care.**

### **SB 6382: Dental Hygienists/Sealants**

Authorizes endorsed dental hygienists to provide sealants to low-income school children. **Senate Health & Long Term Care.**

### **SB 6550: Chemical Dependency Counselors**

To protect the public by identifying individuals with demonstrated qualifications in the core competencies of addiction counseling and make government more efficient by consolidating duplicative regulatory activities into a single credentialing process. **Senate Health & Long Term Care.**

### **SB 6676: Health Care Provider Liability**

Designates limitations on health care providers' liability. **Senate Health & Long Term Care.** *Public Hearing, 2-3-98, 10:00 a.m., Senate Hearing Room 4.*

### **SB 6683: Body Art Facilities**

Directs the State Board of Health to adopt rules for the purpose of permitting local health jurisdictions to regulate body art operators and body art facilities. Provides that the local public health officer, under powers and duties provided in RCW 70.05.070, may establish a program to regulate body art operators and body art facilities, based on standards adopted by rule by the state board of health. **Senate Commerce & Labor.** *Public Hearing, 2-6-98, 1:30 p.m., Senate Hearing Room 2.*

## **REGULATORY REFORM**

### **SHB 2345: Administrative Law Revisions**

Requires agencies to make a good faith effort to notify businesses affected by a rule within 90 days of the effective date of the rule. Agencies must also convene a meeting of persons affected by a significant legislative

rule at least 20 days before the effective date. Agencies may file proposals for the expedited repeal of rules at any time, instead of only twice a year. The time period for JARRC to decide whether to impose the significant legislative rule requirements is extended from 45 to 75 days.

At least every four years, an agency must review a rule to evaluate whether the rule is: Necessary to comply with the authorizing statute; Providing the results that it was originally designed to achieve in a reasonable manner; Written and organized in a clear and concise manner; Consistent with the legislative intent of the authorizing statute; Coordinated with other agencies and governmental jurisdictions to eliminate or duplication and inconsistency; Resulting in equitable treatment of those required to comply with it; and achieving its goals in a cost-effective manner. Rules are not valid unless reviewed.

An agency must prepare a local government economic impact statement when adopting a rule that imposes costs on local government. The statement must describe the reporting, record keeping, and compliance requirements of the proposed rule and analyze the costs of compliance local government.

When a person contacts an agency regarding a rule the agency must identify any associated interpretive and policy statements, and documents of general applicability and provide copies of the documents upon request. An agency may not issue a citation or civil penalty related to a rule on which it issued a policy or interpretive statement or other document of general applicability, unless the agency has provided copies of the documents to the person being issued the citation or civil penalty at least 90 days prior to the issuance.

The composition of the Joint Administrative Rules Review Committee is modified. The legislative members must select a chair, by majority vote, other than one of the eight members. The chair votes only in the case of a tie. In addition to review of rules and policy and interpretive statements, JARRC may review

## Bill Watch

guidelines, and issuances of general applicability, and equivalents to determine whether the document constitutes a rule. If the committee determines that the document constitutes a rule, it may also examine whether the rule is within legislative intent. **House Appropriations.**

### **HJR 4214:** Legislative Veto of Agency Rules

Proposes an amendment to the state Constitution to authorize legislative veto of agency rules. **House Government Reform & Land Use.**

### **SB 6575:** Administrative Rules Review

Expands the power of the joint administrative rules review committee. **Senate Government Operations.** *Public Hearing, 2-5-98, 10:00 a.m., Senate Hearing Room 3.*

## STATE GOVERNMENT REORGANIZATION

### **HB 2944:** Department of Community, Trade, and Economic Development Restructuring

The purpose of this act is to restructure the department of community, trade, and economic development by: (1) Transferring its trade, business development, tourism, and economic development responsibilities and authorities to a newly created department of trade and economic development; and (2) retaining its community development responsibilities with the department, which is renamed as the department of community development. **House Trade & Economic Development.** *Public Hearing, 2-3-98, 6:00 p.m., House Hearing Room D. Possible Executive Session, 2-5-98, 1:30 p.m. or 8:00 p.m., House Hearing Room D*

### **SB 6239:** Family Policy Council Sunset

Provides that the family policy council and its powers and duties shall be terminated on June 30, 2001. Directs the joint legislative audit and review committee to conduct or contract for the performance of a fiscal audit of the family policy council and the community public health and safety networks. The

committee shall submit a final audit report to the legislature by December 30, 1999. **Senate Human Services & Corrections.**

### **SB 6542:** Family Policy Council

Increases the number of legislators on the council. Requires each of the twenty-three people who are members of each community public health and safety network to sign an annual notarized statement that clearly, in plain and understandable language, states whether or not he or she has a fiduciary interest. If a member has a fiduciary interest, the nature of that interest must be made clear, in plain understandable language, on the signed statement. **Senate Human Services & Corrections.**

## TOBACCO

### **HB 2541:** Tobacco Settlement Receipts

Requires that all tobacco settlement receipts received by any state officer or employee shall be deposited in the health services account. **House Health Care.** *Possible Executive Session, 2-3-98, 1:30 p.m., House Hearing Room B.*

### **HB 2631:** Health Care Access

Declares that any financial claims due the state for losses resulting from tobacco use pursuant to a legal settlement, an act of the United States Congress, or both, shall be deposited in the health services account. **House Health Care.**

### **SB 6137:** Tobacco Possession by Minors

Makes it illegal for a minor to possess or attempt to possess tobacco. Requires minors found guilty of possession or purchase of tobacco to pay a fine and perform four hours of community service. The court may also order the minor into a tobacco cessation program. **Senate Commerce & Labor.**

### **SB 6354:** Tobacco Industry Settlements

Provides that, unless otherwise directed by an act of Congress or, in the case of a lawsuit against the

## Bill Watch

tobacco industry, the ensuring settlement or judicial determination, any recovery for damages received by the state in any such settlement or litigation, exclusive of costs and fees, shall be deposited into the health services account. **Senate Ways & Means.**

### **SB 6483:** Cigarette/Tobacco Tax Enforcement

Authorizes the transfer of enforcement of cigarette and tobacco taxes to the liquor control board. **Senate Ways and Means.** *Public Hearing, 2-4-98, 3:30 p.m., Senate Hearing Room 4.*

### **SB 6485:** Tobacco Settlement Moneys

Provides that, in any legal action, or settlement thereof, by the state of Washington to recover moneys expended by the state for the tobacco-related health care costs of state residents, and to the maximum extent permitted by court order, negotiated settlement, or federal law, the proceeds received by the state shall be subject to legislative appropriation and shall be deposited as follows: (1) Two-thirds of the proceeds shall be deposited to the education enhancement account; and (2) one-third of the proceeds shall be deposited to the health services account, and may be used exclusively for funding the enrollment of eligible persons in the basic health plan. Requires approval by the people at the next general election. **Senate Ways and Means.**

### **SB 6686:** Tobacco Possession by Minors

Makes it illegal for a minor to possess or attempt to possess tobacco. Requires minors found guilty of possession or purchase of tobacco to pay a fine and perform four hours of community service. The court may also order the minor into a tobacco cessation program. **Senate Commerce & Labor.** *Public Hearing, 2-2-98, 1:30 p.m., Senate Hearing Room 4.*

## WELFARE REFORM

### **HB 2767/ SB 6418:** Support Enforcement

Implements technical amendments to the federal personal responsibility and work opportunity

reconciliation act of 1996. **House Law & Justice/ Senate Ways & Means.** *Public Hearing, 2-4-98, 8:00 p.m., House Hearing Room A.*

### **SB 6331:** Teen Parent/TANF Eligibility

Provides that, in cases where these teen parents are uncooperative with the standards, the minor parent head of the assistance unit and the minor parent's child or children be denied public assistance benefits until cooperation with legal requirements for temporary assistance for needy families for teens is achieved. The legislature intends that, during the period of noncompliance, children of uncooperative minor teen parents be ineligible for assistance, including child-only benefits. **Senate Health & Long Term Care.** §

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The ***Legislative Update*** is published weekly by Washington State Department of Health, Office of Legislative & Constituent Relations during the Washington State Legislative Session and provides information and news about legislation pertinent to the health of Washington State citizens.

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Olympia, WA 98504-7890  
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